

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)

of the Educator Certificate of)

Todd Layne)

Certificate 207795)

ORDER OF SUSPENSION (BREACH OF CONTRACT)

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 12, 2005. On September 19, 2005, the Department of Education (Department) sent Todd Layne a notice of his right to a due process hearing regarding the possible suspension of his South Carolina educator certificate by regular and certified mail, return receipt requested, delivery restricted to addressee. Mr. Layne received the notice, as evidenced by the signed postal receipt bearing his signature. Mr. Layne then wrote a letter to the Department indicating that he did not wish to request a hearing. After considering the information presented, the State Board voted to suspend Mr. Layne's certificate for one year.

FINDINGS OF FACT

Mr. Layne holds a valid certificate with over four years experience. Mr. Layne held a contract for the 2005-06 school year with Anderson County School District Four, and was assigned as a teacher to La France Elementary School. On July 28, 2005, Mr. Layne notified his Principal that his last day of employment would be August 9, 2005. On August 9, 2005, the District notified Mr. Layne that his resignation was not in compliance with District policy. Mr. Layne did not return to work, and on September 12, 2005, the District Board of Trustees voted to request suspension of Mr. Layne's certificate as a result of his breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that the information presented supports its determination that just cause exists to suspend Mr. Layne's certificate 207795 for a period of one year, from October 12, 2005, through October 11, 2006. Should Mr. Layne wish to have his certificate reinstated at the end of the suspension period, he may make a written request for reinstatement to the Office of Educator Certification.

South Carolina State Board of Education

By: /S/ Paul M. Forrester

Paul M. Forrester, Chair

Columbia, South Carolina

October 12, 2005